

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JERMAINE TOUSSAINT BOLLING,

Plaintiff,

v.

Case No. 18-cv-703-pp

STATE OF WISCONSIN, *et al.*,

Defendants.

ORDER DISMISSING THE CASE FOR FAILURE TO PAY THE FILING FEE

Plaintiff Jermaine Toussaint Bolling, who is representing himself, filed a civil rights complaint under 42 U.S.C. §1983, dkt. no. 1, along with a motion for leave to proceed without prepaying the filing fee, dkt. no. 2. On June 12, 2018, the court denied the plaintiff's motion to proceed without prepaying the filing fee because the plaintiff's affidavit demonstrated that he had enough money to pay the \$400 fee in full. Dkt. No. 6 at 2. The court ordered that if the plaintiff wanted to continue with his case, he had to pay the fee on or before July 27, 2018. *Id.* at 4.

On June 22, 2018, the plaintiff filed a motion for reconsideration of that order, asking the court to allow him to pay \$100 per month. Dkt. No. 7. The court granted that motion and told the plaintiff that he needed to pay the full filing fee by October 5, 2018 (a little over three months later). Dkt. No. 8 at 1-2. The court warned the plaintiff that if it did not receive the full \$400 filing fee by the end of the day on October 5, 2018, it would dismiss his case without any further order or hearing. *Id.* at 2.

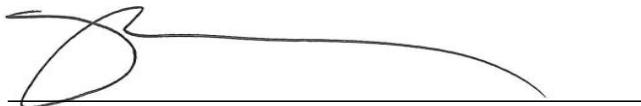
The court mailed that order to the plaintiff at P.O. Box 545, Waukesha, Wisconsin 53187—the address the plaintiff gave the court when he filed his case. On November 5, 2018, the court received its order back by return mail from the post office. Dkt. No. 9. On October 31, 2018, the post office stamped the envelope “Return to Sender,” and noted, “Box Closed Unable to Forward.” Id. The plaintiff has not notified the court of any change of address.

The deadline to pay has passed and the court has received neither the filing fee nor any communication from the plaintiff—the last time the court heard from the plaintiff was over five months ago. The court will dismiss the case without prejudice based on the plaintiff’s failure to pay the filing fee.

The court **ORDERS** that this case is **DISMISSED** without prejudice for failure to pay the filing fee.

Dated in Milwaukee, Wisconsin this 30th day of November, 2018.

BY THE COURT:



HON. PAMELA PEPPER
United States District Judge